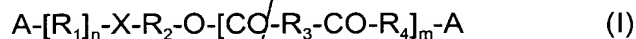


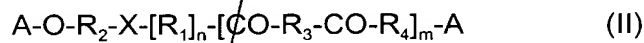
**IN THE CLAIMS:**

Kindly replace Claims 1-4, 7-9, 11 and 18, and add new Claims 20-25, as follows:

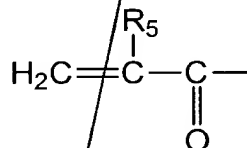
1. (amended) Methacrylate or acrylate binder comprising oligomers of the following formula (I) and/or (II)



and/or



wherein A represents



CO is carbonyl group

R<sub>1</sub> is a repetition unit of an aromatic polyester,

R<sub>2</sub> is a divalent radical selected from the group consisting of linear and branched C<sub>3</sub>-C<sub>20</sub> alkylene, cycloalkylene, and aralkylene radicals, di-, tri- or tetraalkylenether radicals, and T, Z, heterocyclic radicals, wherein said radicals may be optionally substituted,

R<sub>3</sub> is a divalent radical selected from the group consisting of linear and branched aliphatic and aromatic and araliphatic radicals, wherein said radicals may be optionally substituted with OH or COOH groups,

R<sub>4</sub> = -O-R<sub>2</sub>-X-[R<sub>1</sub>]<sub>n</sub>- or -[R<sub>1</sub>]<sub>n</sub>-X-R<sub>2</sub>-O- or -X-R<sub>2</sub>-O-

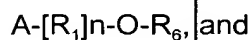
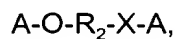
R<sub>5</sub> is hydrogen or methyl group

X is -O- or -NH-, and

n is 1 to 4, and

m is 0 to 3.

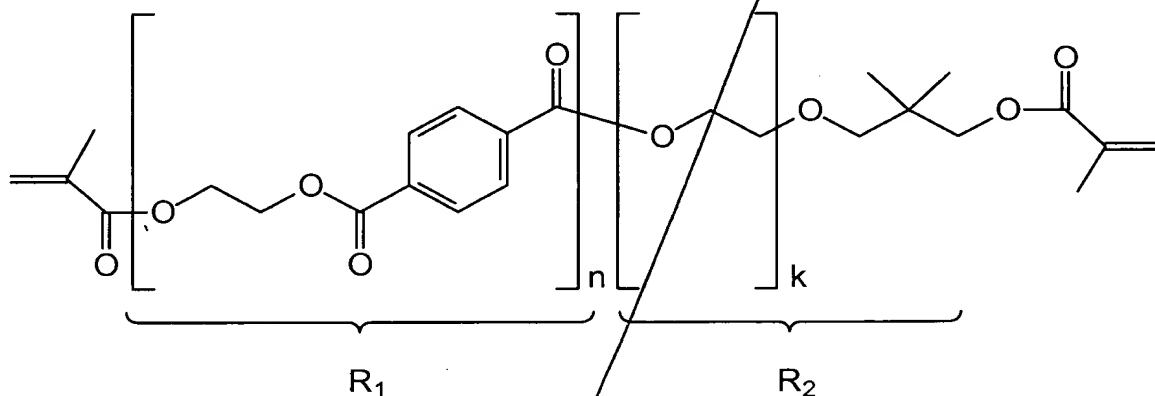
2. (amended) The binder of Claim 1 that further comprises at least one compound selected from the group consisting of



wherein A,  $R_1$  and  $R_2$  are as defined in Claim 1, and

$R_6$  is a linear or branched aliphatic or aromatic or araliphatic radical.

3. (twice amended) The binder of claim 1 that comprises the oligomer represented by



wherein

$R_1$  is a repetition unit of PET,

$R_2$  is an ethoxylated neopentyl glycol derived radical,

$n$  is 1 to 4, and

$k$  is 1 to 3.

4. (twice amended) The binder of Claim 1 that is [obtainable] obtained by the steps of (i) generating hydroxy terminated binder precursor oligomers (OH-precursors) derived from at least one aromatic polyester, and (ii) reacting said OH-precursors of step (i) with methacrylic acid and/or acrylic acid to form a respective ester, whereby step (i) comprises reacting an

Cl  
B3  
amended  
aromatic polyester, or a mixture of aromatic polyesters with at least one polyol and/or at least one aminopolyol to generate hydroxy terminated oligomers.

7. (twice amended) The binder of Claim 4, which is prepared using as polyol at least one diol, at least one triol or a mixture thereof.

Cl  
B4  
amended  
8. (twice amended) The binder of Claim 4, which is prepared using a mixture of at least one polyol and/or at least one aminoalcohol and at least one monofunctional alcohol.

9. (twice amended) The binder of Claim 7, wherein the alcohol is selected from monohydroxy functional or dihydroxy functional polymers or oligomers selected from the group consisting of polyethers, polyesters, polyurethanes, polycaprolactones and mixtures thereof.

Cl  
B5  
11. (twice amended) The binder of Claim 4, wherein said OH-precursors of step (i) that are further reacted in step (ii) are obtained by further reacting said hydroxy terminated oligomers with at least one polycarboxylic acid and/or at least one polycarboxylic anhydride.

Cl  
B6  
18. (twice amended) An adhesive, coating, flooring, mortar, or casting compound comprising the binder of Claim 1.

**Please add new Claims 20-25, as follows:**

-- 20. (new) The binder of Claim 1, wherein  $R_2$  is optionally substituted with substituents selected from the group consisting of hydroxy, ester and alkyl groups.

21. (new) The binder of Claim 1, wherein  $R_3$  is a radical with 3 to 14 carbon atoms.

22. (new) The binder of Claim 2, wherein  $R_6$  is a radical with 5 to 22 carbon atoms.

23. (new) The binder of Claim 7, wherein said polyol is selected from the group consisting of diethylene glycol, ethoxylated neopentyl glycol, di-(2-hydroxyethyl)-5,5-dimethylhydantoin, 1,3-dimethylol-5,5-dimethylhydantoin, tri-(2-hydroxyethyl)-isocyanurate, hydroxyalkyl isocyanurates, and mixtures thereof.

24. (new) The binder of Claim 8, wherein said monofunctional alcohol is selected from the group consisting of  $C_5$ - $C_{22}$  linear saturated alcohols,  $C_5$ - $C_{22}$  linear unsaturated alcohols,  $C_5$ - $C_{22}$  branched saturated alcohols,  $C_5$ - $C_{22}$  branched unsaturated alcohols, and mixtures thereof.

25. (new) The binder of Claim 8, wherein said monofunctional alcohol is selected from the group consisting of 4-methyl-1-pentanol, hexanol, linoyleyl alcohol, benzyl alcohol, trimethylolpropane diallylether, allyl alcohol, nonanol, and mixtures thereof. --